

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

DEL SOLDATO ET AL.

Application Serial No.: 09/147,770

Filed: April 28, 1999

For: NITRIC ESTER DERIVATIVES AND THEIR USE IN URINARY INCONTINENCE AND OTHER DISEASES



Confirmation No: 2174

Group Art Unit: 1617

Examiner: TRAVERS, R.S.

Attorney Docket No: 026220-00031

AF 16 IFW
1617

June 3, 2004

NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
Group Art Unit 1617
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The applicants hereby appeal to the Board of Patent Appeals and Interferences from the last decision of the examiner dated December 3, 2003, which finally rejected claims 1, 2, 9, 10, and 26.

The applicants enclose a petition for an extension of time for the second and third months pursuant to 37 C.F.R. §1.136(a).

The applicants also attach a check in the amount of \$585.00. This amount includes \$420.00 (the applicants previously paid \$55.00 on April 2, 2004) to cover the extension fee for a small entity (pursuant to 37 C.F.R. §1.17(a)(3)) and \$165.00 to cover the fee for filing a Notice of Appeal (pursuant to 37 C.F.R. §1.17(b)).

06/04/2004 CCHAU1 00000014 09147770


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165.00 DP

Application Serial No.: 09/147,770
Inventor(s): Del Soldato *et al.*
Attorney Docket No.: 026220-00031

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayments, to Deposit Account No. 01-2300, referencing Attorney Docket No. 026220-00031.

Respectfully submitted,
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